

W5YI

Nation's Oldest Ham Radio Newsletter

REPORT

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November 1, 1995

Amateur Repeater Coordinators Meet in Mid-West

The Repeater Coordinator's meeting that was called by the American Radio Relay League was held in St. Charles, Missouri (near St. Louis) at the Noah's Ark, a Best Western Hotel on Saturday, October 7th. The meeting started at 8:00 in the morning and lasted to just past 5:00 p.m. in the afternoon.

The more than 70 people that attended the meeting represented about sixty percent of the state and multi-state repeater coordinating organizations located throughout the United States. Some states (such as California and Pennsylvania) were under-represented or not represented at all. And several coordinators were unable to attend due to health and financial reasons.

Not all who attended the meeting were repeater coordinators, however. Some represented other interests ...such as ATV and packet. The meeting hall and refreshment expenses were funded by the ARRL - as were the air fare and hotel accommodations for FCC's, Ralph Haller, N4RH

The meeting was chaired by ARRL Rocky Mountain Director, Marshall Quiat AGØX of Denver, Colorado. According to the ARRL, the ultimate goal of the mass meeting of coordinators was to provide the FCC with a single point of contact (SPOC) for all amateur repeater systems operating throughout the United States.

Background of the meeting

The meeting got its start this past Spring

when the ARRL's Board of Directors invited the Frequency Coordinating Community to attend an open meeting in St. Louis on Saturday, June 10th. The meeting date was later changed to October 7th when several coordinators complained about the short notice. The League said it felt that the meeting would be an initial step on a path that ultimately would lead to greater FCC support for local coordinators.

The League said it remained committed to local and regional coordination both in principle and in practice. It stressed that the FCC rules governing amateur frequency coordination dated back to 1986 and questioned whether they provided sufficient recognition of coordinators by the FCC.

The League added, "The current rules only address coordination as a means of resolving interference from one repeater to another ...but coordinators frequently are called upon to address other kinds of amateur-to-amateur interference."

"Finally, the rules do not provide a means for resolving the concerns of amateurs who are dissatisfied with the coordination process in their area. Ideally, these concerns should be addressed within the coordinating body itself, but there are no standards for doing so." The letter was written by 1st VP Rodney J. Stafford, KB6ZV, now ARRL President.

"The specific objectives of the meeting are as

follows," Stafford said in the April 25th letter.

- (A.) To respond to an FCC request that it be provided with a single point of contact (SPOC) with the coordination community, through which the FCC would recognize and support local and regional coordinators.
- (B.) To determine whether coordinators would support a return to repeater licensing, subject to the applicant's acceptance of coordination recommendations and with provisions for temporary or trial operation.
- (C.) To determine the extent to which coordinators should coordinate emitters other than repeaters, and whether coordinators should attempt to resolve interference between repeaters and other kinds of amateur stations.
- (D.) To develop a procedure for bringing to the FCC for action, coordination issues that cannot be otherwise be resolved.
- (E.) To decide how to develop standards for service by coordinators.
- (F.) To decide how appeals of local coordinators' decisions should be handled.
- (G.) To develop a process for the recognition and orderly succession of coordinators.
- (H.) To decide how the coordinating community should respond to the introduction of new techniques."

To accomplish these objectives the Board named a group of Directors to the ARRL Ad Hoc Repeater Coordination Committee with Marshall Quiat, AGØX named chairman.

The League said they wanted "...to see that the FCC's request for a single point of contact is met." The advantage of a SPOC, is that it is far more efficient for the FCC to deal with a single organization rather than a myriad of individual coordinators and coordinating groups. Both repeater coordinators and the FCC would funnel all correspondence and inquiries through the SPOC.

The ARRL Committee is called Ad Hoc because it is not a standing committee of the League and has been formed for a specific purpose and a limited life. Now that the meeting is over the Committee goes out of business unless there is some follow-on work that needs to be done.

Presentation by FCC

After a welcome message from ARRL President Stafford, Ralph Haller, N4RH, Deputy Chief, Wireless Telecommunications Bureau, FCC, Washington, D.C. addressed the group. In short, the FCC does not think the frequency coordination process is broke. It is cur-

rently working.

But Haller is not comfortable that there is no official recognition of coordinators. He would like to provide a mechanism that recognizes coordinators. He envisioned an umbrella organization for coordinators providing a single point of contact (SPOC.) This organization would keep track of coordinators and be a point of review of coordination problems. This organization would put together a manual of proper coordination procedures.

There was also a discussion about the merits of reinstating repeater licensing and the assigning of KR/WR prefixed call signs. Mr. Haller said he considered this a win-win situation. He has wanted to reinstate repeater call signs for years but didn't have the resources. Now they have the electronic means to do it. He said the only way to make these changes was for them to get more efficient and one way for them to do that is with our help. The Commission would become final arbiter in disputes.

Haller asked that coordinators try to stay focused. "This meeting is an opportunity to take coordination to a higher plateau. It's a truly historic day in the history of amateur radio, but ...this isn't an FCC meeting, it's the coordinator's meeting."

Question: George R "Dick" Isely, WD9GIG (MACC President) asks if the FCC is willing and able to provide enforcement backup? And what about the FCC's budget problems?

Answer: Last year the FCC was funded to \$186 million, this year \$165 million. Ninety percent of the Commission's budget is salaries. They will probably have to cut more people. There is an early retirement program with cash incentives. Eighty-five people in the field organization are retiring out of about 350. A number of field offices is being closed, so it will be harder for field personnel to work cases. It will be up to the coordinators to develop a program that will gather needed data. The FCC is willing to impose sanctions after they obtain the information from the SPOC.

Question: Owen Wormser, K6LEW (T-MARC) had a question about licensing and enforcement of the rules.

Answer: Licensing of repeaters with WR/KR repeater call signs is not difficult. In an interference situation, the station assigned a WR/KR call sign will get preference over stations not recognized with a WR/KR call sign. Licensing will eliminate guerilla repeaters. But we must be careful that we don't lock out legitimate coordinators. The coordination community must come up with a mechanism. The FCC said they would be open to a "white paper" proposal ...then a rule making later.

Question: Bill Wells, WA8HSU (Chairman, Indiana Repeater Council) believes that frequency coordinators were already recognized. And if there were additional rules and responsibility, would the FCC protect the coordinators law suits.

Answer: Ralph talked about other frequency coordination groups in other services. The local coordinator makes a decision as does the umbrella organization. If the problem can not be resolved, then it goes to the FCC.

Question: Gary Hendrickson, W3DTN (T-MARC) - What happens if a license is issued for the repeater and the coordination is cancelled?

Answer: If you operate outside the parameters of the license, then the license is void. The FCC would be willing to cancel the repeater license ...but it is not easy.

Question: Jim Fonte, KK9T (Indiana Repeater Council) In the case of a monetary forfeiture - sometimes the fine is plea bargained down. Can the FCC discontinue this practice?

Answer: The forfeiture authority the Communications Act gives the FCC, allows for negotiation. Haller said he couldn't say that fines would not be reduced, but there would be a reluctance to reduce them so low they become meaningless.

Question: Dave Barrow, N9UNR (Wisconsin Assn/-Rptrs) is concerned with liability. If the repeater licensing becomes mandatory, then our liability becomes much greater. Can we get an exemption similar to those of the Official Observer Corps.

Answer: Haller said it would require Congressional legislation to do this. FCC does not have the power to grant exemptions.

Ralph talked about the SPOC model that is used in Private Land Mobile Service. All coordinations are completed by local coordinators. But the interface with the FCC is through APCO. They want a single group to obtain needed data. Haller had no guidance about what this group should look like or even if that is what is needed. But they want to deal with one group and not each and every coordination body. The FCC simply does not have the resources to talk to everyone.

Question: James T. Fortney, K6LYK (220SMA) asked about the SPOC for commercial repeaters.

Answer: Haller said the organization must be representative of the end users. Generally the coordinator became the trade association for that industry. Very few guide lines. Process first in, first out, not discriminatory, must be representative of the users. Applications must be processed in 20 days. But he is not looking for anything that formal. Is there something

in-between that makes sense?

Question: Paul Gilbert, KE5ZW (Texas VHF-FM Society) is there way to use the already existing VEC program to do the licensing part of this question?

Answer: We are not at the point of looking at the mechanics. But that can be looked at.

There was agreement in principal that the FCC adjudicate the final decision. The SPOC would make a recommendation to the Commission. The FCC in most cases would support the SPOC handling.

Question: Jim Fonte KK9T (Indiana Repeater Council) "For Mr. Haller ...do you have a date in mind when you would like to see the collective work of this group come to you with our proposals, and do you have a date in mind when you would like to start this vehicle?"

Answer: "Let me retrace my steps. It's NOT what I want. I'm NOT soliciting anything. This is your meeting. I don't want anything necessarily. Don't try to please me. I don't have a timetable and I don't need to be pleased. Well, when you say. 'What is acceptable?', I have no answer. It's whatever you want to do. And the other thing where I get very nervous is when I start talking about change to the rules. That's a point when I'm going to feel obligated to simply leave the room."

Question: Steve Wilson, WB9SHY (Vice Chairman, Indiana Repeater Council) "Did the FCC, yes or no, request the single point of contact (SPOC) discussion for the Coordinators' Meeting?"

Answer: (from Mr. Haller) "No. We did not request it."

For the afternoon session, the chair was yielded to Dick Isely, WD9GIG, President of MACC. The topic of discussion then turned to the FCC request and who should be the SPOC?" There were complaints that Roberts Rules of Order were not followed. In an attempt to reach a consensus, three SPOC options A, B & C were offered.

Initially a plan was developed that would allow voting by state and multi-state organizations. That didn't happen. Instead each person in the room cast one vote regardless of their affiliation. This caused much criticism since some people represented many states and hundreds (and in some cases, thousands) of repeaters. Some vastly smaller repeater groups had four or five people at the meeting and therefore had five votes.

There were three single point of contact possibilities under consideration. They were:

- (a) ARRL as the SPOC
- (b) Organize the SPOC as a stand-alone umbrella organization
- (c) Set up an independent SPOC organization with

ARRL affiliation but not controlled by the League such as now is the case with AMSAT, TAPR, VECs, and others. The first vote was: (a) 34, (b) 0 and (c) 24.

In an attempt to obtain a larger consensus, Dick asked who were opposed to the ARRL being the SPOC. Only two votes against this result were cast. A vote asking who would be opposed to option "c" was suppressed.

One of the coordinating organizations in attendance insisted that the original vote be taken again. When it was, the second vote on the three options was: (a) 38, (b) 0 and (c) 23.

It was finally decided that a panel of five people would put together the skeleton framework for the SPOC for presentation to the FCC. At this point, it is assumed they will recommend that the ARRL become the SPOC since they obtained the most votes. The proposal would still require acceptance by the ARRL Board of Directors. The "white paper" will be developed by:

Owen Wormser,	K6LEW	T-MARC
Bill Kelsey,	WA6FVC	SCRRBA
Whit Brown,	WB0CJX	MACC/CO
Dick Isely,	WD9GIG	MACC
Jim Fortney,	K6IYK	220/SMA

There was consensus on only two things at the meeting.

1. That the coordinators want the FCC to enforce the rules.
2. That the coordinators want the FCC to recognize who they are.

Even though many of those in attendance believed that the ARRL should indeed be the SPOC, at least two large coordinating organizations (Indiana Repeater Council and the SouthEastern Repeater Association) were vehemently against that proposal. After returning home from the meeting and polling their SERA's Board of Directors, Dave Shiplett AC4MU issued the following statement:

To: Frequency Coordination Councils and Coordinators
From: David Shiplett, AC4MU
President SouthEastern Repeater Association (SERA)
Subject: ARRL's Proposed Single Point of Contact (SPOC)

The Board of Directors of SouthEastern Repeater Association, Inc. [SERA] representing 2,073 repeaters in North Carolina, South Carolina, Virginia, West Virginia, Tennessee, Kentucky, Georgia and Mississippi

have voted unanimously not to participate in a Single Point of Contact between amateur repeater coordinators, the ARRL and the FCC. Mr. Haller stated that the FCC did not request a SPOC. We believe it to be in the best interests of our membership for SERA to maintain its own contacts with the Commission as we have in the past."

(Editor's note: The information for this story came from a multitude of sources. These include several people who attended the meeting and the "Coordinator's Remailer" ...a running forum on the Internet set up by Joe Jarrett, K5FOG of the Texas VHF Society. We had also asked ARRL's Marshall Quiat, AGØX to provide input which was promised. However, it had not arrived at deadline.)

ADDITIONAL DIGITAL CODES PERMITTED ON HF

On October 11, the FCC released an order clarifying that amateur stations may use any digital code that has its technical characteristics publicly documented. The action is in response to a letter from ARRL technical guru, Paul Rinaldo, W4RI to FCC's John B. Johnston, W3BE.

The ARRL said that some amateur operators have expressed concern about the legality of using the CLOVER, G-TOR and PacTOR codes on the high frequency (HF) amateur service bands. The current rules (Section 97.309(a) appears to authorize only the Baudot, AMTOR and ASCII modes on HF. At the VHF and higher frequencies, the rules authorize the use of any unspecified digital code provided the emission does not exceed a specified bandwidth.

The League stated in their letter that it has worked with the developers of CLOVER, G-TOR and PacTOR to document the technical characteristics and requested that the rules be amended to specifically authorize CLOVER, G-TOR and PacTOR to remove any doubt about the permissibility of their use.

The primary use of CLOVER, G-TOR, and PacTOR is to facilitate communications using already-authorized digital codes, emission types, and frequency bands. The technical characteristics of CLOVER, G-TOR, and PacTOR have been documented publicly for use by amateur operators by the League and these modes are readily available in commercial products.

The FCC agreed that using these codes would not conflict with their objective of preventing the use of codes and ciphers intended to obscure the meaning of the communication. "We agree, therefore, that it would be helpful to the amateur service community for the rules to specifically authorize amateur stations to transmit messages and data using these and similar codes," FCC said. Section §97.309(a) now has a new paragraph 4 which authorizes use in the amateur service of publicly documented digital codes.

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LAUNCH CONTRACT FOR PHASE 3-D FINALIZED

The final details surrounding the agreement for launch of the Phase 3-D International Amateur Radio Satellite were unveiled during a series of kick-off meetings held on September 28 and 29, 1995 at Ariane-space Headquarters in Evry, France. Project leader Dr. Karl Meinzer, DJ4ZC, AMSAT-DL President announced on October 7 that all major contractual issues for the launch of the satellite by the European Space Agency (ESA) are now complete.

Dr. Meinzer led the negotiations with ESA on behalf of all AMSAT groups participating in the project. AMSAT-NA Executive VP Keith Baker, KB1SF and Dick Jansson, WD4FAB, VP Engineering attended the meetings in France.

In his announcement, Dr. Meinzer emphasized, "This event marks a major milestone in the Phase 3-D project as it establishes a firm cost, schedule and technical baseline for our launch. It is clear that the European Space Agency has again recognized the important contributions AMSAT has made to ESA's work over the years." Dr. Meinzer also highlighted the many provisions favorable to AMSAT in the recently negotiated launch contract when he stated that, "These conditions are all proof that the working relationship between AMSAT and ESA remains mutually beneficial."

The contract calls for a firm launch price of some 1.3 Million Deutsche Mark (DM), or about \$1 million US, and confirms that Phase 3-D's primary launch opportunity will be via the second test flight of ESA's new Ariane 5 booster (Ariane 502). However, if for some reason ESA determines launch via the Ariane 502 is not possible, the contract also calls on ESA to exercise their "best efforts" to orbit Phase 3-D on an Ariane 4 booster, no later than mid-1997. The Phase 3-D design team anticipated this eventuality and constructed both the Phase 3-D spaceframe and its carrying structure (SBS) to be easily compatible with both the new Ariane 5 vehicle as well as the venerable Ariane 4 booster. The launch, previously scheduled for April/May 1996, is now slated for September 1996.

While the final negotiated price for Phase 3-D launch is somewhat reduced from earlier estimates, the cost of the launch still represents a sizeable sum for an organization such as AMSAT. Fortunately, through the generous contributions of individuals and organizations from around the world, money is now "in hand" to pay the first installment (about \$800,000) of the launch bill.

AMSAT-NA President Bill Tynan, W3XO emphasized, however, that "We still need to raise another \$200,000 just to complete the satellite and prepare it for launch. We must continue our efforts to raise both the rest of the funds to complete Phase 3-D, as well as to get the spacecraft ready on time."

AMATEUR LICENSING STATISTICS - TEN YEARS

Individual Operators by Class: (and % of total)

Extra Advan. Gen. Tech. Novice Total:

September 1, 1986

40455	98294	116944	86025	79359	421077
9.5%	23.5%	27.9%	20.3%	18.9%	100.0%

September 1, 1987

42914	98114	114737	90675	83238	429678
10.0%	22.8%	26.7%	21.1%	19.4%	100.0%

September 1, 1988

45909	98282	113068	98944	80502	436705
10.5%	22.5%	25.9%	22.7%	18.4%	100.0%

September 1, 1989

49275	101311	116289	111708	84589	463172
10.6%	21.9%	25.1%	24.1%	18.3%	100.0%

September 1, 1990

52700	104222	119038	124778	90932	491670
10.7%	21.2%	24.2%	25.4%	18.5%	100.0%

September 1, 1991

56242	106990	121832	148229	96387	529680
10.8%	20.9%	23.8%	25.7%	18.8%	100.0%

September 1, 1992

60405	109404	124559	185209	98534	578111
10.5%	18.8%	21.6%	32.0%	17.0%	100.0%

September 1, 1993

63977	111890	126666	217049	101017	620599
10.3%	18.0%	20.4%	35.0%	16.3%	100.0%

September 1, 1994 (See Note)

67661	114666	128729	251373	99060	661509
10.2%	17.3%	19.5%	38.0%	15.3%	100.0%

September 1, 1995 (See Note)

71900	117398	130021	284722	97468	701509
10.3%	16.7%	18.5%	40.6%	13.9%	100.0%

(1.) There are an additional 2430 amateur radio club stations which are NOT included in the above.

(2.) The Technician figures for 1994 and 1995 are for both Tech and Tech Plus. The breakdown is:

<u>Year</u>	<u>Technic.</u>	<u>Tech. Plus</u>	<u>Total</u>
1994	117345	134028	251373
1995	145193	139529	284722

(3.) The number Tech's passing the 5-wpm code since the start of No-Code licensing is minimal (about 6%.) There were 129,386 Tech's w/code knowledge in Feb. 1991. Today there are 139,529. Bottom line: Most No-Code Techs do NOT learn Morse! Gain in "No Coder's" 145,193. Gain in "Code Techs": 10,143.

[Source: FCC Licensing Facility, Gettysburg, PA]

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AMATEUR SERVICE GROWTH REPORT - SEPT. 1, 1994 VS. SEPT. 1, 1995

STATE EXTRA	ADVANCED				GENERAL				TECH PLUS				TECHNICIAN				NOVICE				TOTAL		INC. %
	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	1994	1995	%		
AL	1027	1117	1696	1733	1760	1793	2049	2136	2107	2587	1020	1008	9659	10374	7.4%								
AK	308	328	554	546	643	637	525	542	506	684	448	436	2984	3175	6.4%								
AZ	1348	1490	2475	2594	2596	2688	2648	2821	2969	3772	1256	1239	13292	14604	9.9%								
AR	654	733	1013	1046	1027	1051	1162	1236	1372	1780	625	612	5853	6458	10.3%								
CA	8260	8709	16085	16288	16631	16671	21844	22434	20810	26317	17250	16887	100880	107306	6.4%								
CO	1152	1224	2057	2132	2153	2158	2136	2244	1976	2358	1330	1310	10804	11453	6.0%								
CT	1080	1116	1559	1591	1952	1934	1719	1766	1082	1361	1687	1665	9079	9433	3.9%								
DE	188	199	237	236	295	290	277	304	210	248	214	210	1421	1487	4.6%								
DC	80	84	101	95	135	133	66	61	65	74	84	80	531	527	(.8%)								
FL	4063	4325	7734	8028	9067	9381	7425	7837	5573	6795	6865	6783	40727	43149	5.9%								
GA	1441	1542	2474	2584	2605	2633	2851	3005	2475	3030	1528	1494	13374	14288	6.8%								
HI	300	316	522	520	567	565	663	679	480	611	690	689	3222	3380	4.9%								
ID	302	337	584	594	710	737	639	695	730	929	403	410	3368	3702	9.9%								
IL	2510	2594	4173	4239	4875	4845	4706	4866	3864	4591	3594	3546	23713	24681	4.1%								
IN	1438	1517	2413	2451	2776	2791	3239	3360	2632	3238	2097	2051	14585	15408	5.6%								
IA	689	731	1444	1442	1524	1526	1149	1193	964	1157	1065	1066	6835	7115	4.1%								
KS	720	747	1144	1175	1583	1609	1284	1364	1352	1685	1044	1033	7127	7613	6.8%								
KY	799	852	1183	1219	1423	1459	1614	1690	1640	2110	1228	1195	7887	8525	8.1%								
LA	795	843	1357	1369	1428	1423	1365	1410	1303	1555	919	913	7167	7513	4.8%								
ME	473	497	688	731	1037	1044	745	7696	624	811	566	558	4133	4410	6.7%								
MD	1447	1513	2262	2310	2289	2269	2062	2148	1938	2305	1521	1484	11519	12029	4.4%								
MA	1987	2073	2808	2815	3349	3354	3190	3256	2044	2402	2291	2266	15669	16166	3.2%								
MI	2079	2209	3628	3682	4317	4327	4147	4287	3519	4330	2664	2616	20354	21451	5.4%								
MN	1111	1170	1978	2015	2350	2345	1902	2008	1635	2018	1318	1296	10294	10852	5.4%								
MS	454	493	815	831	843	858	789	823	905	1091	547	538	4353	4634	6.5%								
MO	1302	1387	2235	2296	2631	2545	2232	2336	2006	2501	1545	1535	11951	12699	6.3%								
MT	293	307	437	462	584	586	411	455	496	655	363	366	2584	2831	9.6%								
NE	372	396	787	792	980	982	721	768	535	681	495	484	3890	4103	5.5%								
NV	372	408	659	695	811	821	649	711	808	990	366	366	3665	3991	8.9%								
NH	618	647	736	756	974	986	938	995	717	907	591	579	4574	4870	6.5%								
NJ	2108	2193	3209	3248	3485	3550	3583	3704	2302	2708	2682	2614	17369	18017	3.7%								
NM	558	604	920	945	884	910	793	833	1032	1323	383	379	4570	4994	9.3%								
NY	3656	3847	5864	5923	6892	6859	6952	7175	5554	6562	7085	6950	36003	37316	3.6%								
NC	1663	1810	2795	2909	2986	3075	3105	3307	3260	4003	1973	1979	15782	17083	8.2%								
ND	151	162	245	250	374	379	295	311	266	349	253	246	1584	1697	7.1%								
OH	2981	3138	4972	5060	5586	5650	7281	7452	5328	6500	4163	4101	30311	31901	5.2%								
OK	880	938	1470	1535	1499	1491	1785	1842	1699	2168	1126	1122	8459	9096	7.5%								
OR	1160	1236	2122	2193	2654	2738	2268	2354	2073	2554	1617	1610	11894	12685	6.7%								
PA	2902	3074	4499	4573	5156	5196	4903	5155	3595	4309	3679	3610	24734	25917	4.8%								
RI	313	332	361	379	531	538	563	585	315	368	427	416	2510	2618	4.3%								
SC	625	685	1069	1105	1336	1354	1205	1276	986	1275	692	687	5913	6382	7.9%								
SD	161	179	323	321	378	381	251	252	224	275	177	174	1514	1582	4.5%								
TN	1385	1499	2324	2379	2273	2300	2940	3027	2457	3051	1493	1465	12872	13721	6.6%								
TX	4414	4687	7358	7592	7719	7811	7973	8262	7155	8869	4406	4364	39025	41585	6.6%								
UT	441	475	792	826	739	761	1541	1609	2023	2664	754	751	6290	7086	12.7%								
VT	235	261	322	333	428	437	375	400	379	494	232	229	1971	2154	9.3%								
VA	1960	2077	2991	3120	3086	3095	2944	3155	2745	3328	2079	2016	15805	16791	6.2%								
WA	2211	2374	3694	3812	4463	4535	4521	4798	4288	5383	3156	3092	22333	23994	7.4%								
WV	519	578	727	749	944	951	1159	1204	1364	1720	879	852	5592	6054	8.3%								
WI	1084	1165	1808	1869	2199	2206	1818	1876	1778	2176	1297	1278	9984	10570	5.9%								
WY	172	179	237	242	284	283	272	293	330	394	221	220	1516	1611	6.3%								
GU	50	59	52	54	57	61	84	97	86	156	174	170	503	597	18.7%								
PR	252	271	554	580	699	738	2153	2211	455	577	4408	4319	8521	8696	2.1%								
VI	55	55	55	55	80	81	56	57	65	65	44	46	355	359	1.1%								
Other	91	117	63	77	81	99	59	94	248	321	53	54	591	762	28.9%								
Tot: 67681	71900	114666	117398	128729	130021	134028	139529	117345	145193	99060	97468	661509	701509	6.0%									
% Inc.	10.2%	10.3%	17.3%	16.7%	19.5%	18.5%	20.3%	19.9%	17.7%	20.7%	15.3%	13.9%	100%	100%									

(*** = Other includes U.S. possessions and APO/FPO addresses)

W5YI REPORT

Nation's Oldest Ham Radio Newsletter

Page #7

November 1, 1995

- Three Technician amateurs have written the FCC seeking changes in the General Class telegraphy requirements. Alan N. Selin, WA1AGK (Naples, FL), Christopher S. Salinas, NØTTW (Brainerd, MN) and Clifford R. Todd, KB5YSW (Carthage, TX) wrote separate letters to the FCC which the Commission treated as Petitions for Rulemaking.

Basically they wanted the substitution of 5 words-per-minute (wpm) for the 13 wpm telegraphy requirement necessary to qualify for an amateur service General Class operator license. Mr. Todd's letter was signed by seven other amateur service licensees. Todd and Selin also requested that holders of the Technician-Plus Class operator licenses be granted General Class operator privileges.

The FCC ruled, "The current amateur service license structure and examination requirements were developed in accordance with the expressed desires of the amateur service community through numerous rule making proceedings that generated thousands of comments. The amateur service indicated on each occasion that it strongly desires to preserve communications by telegraphy. After considering the views expressed in those proceedings, the Commission adopted the rules that are codified in Part §97.527. The requestors have not presented sufficient evidence to justify revisiting these matters at this time." (FCC Order released: Oct. 19, 1995.)

- The FCC warehouse which is used to store and make distribution of certain FCC forms has moved from Hyattsville, Maryland to: 9300 E. Hampton Drive, Capital Heights, MD 20743. Shipments from the new location began on Oct. 23rd. FCC forms (such as the Form 610 Amateur Radio Operator/Station Application) may be ordered by telephoning: 1-800-418-3676 (FORM)

Do not, however, order the FCC Form 610-V (used to request a user-selected "vanity" station call sign) since this form is not yet available. The FCC is presently changing the instruction pages and again going through the review process. The FCC has promised to send us a print master so that we can print the 610-V. Send an SASE if you want us to send you a free copy.

- Anthony J. Sivo, W2FJ of Plainsboro, NJ writes that he is being interfered with by a relatively new product known as an "Invisible Fence." These buried RF generating devices prevent pet dogs from roaming past the perimeter wire. The problem is that they also cause interference (in Sivo's case) between 30 kHz and 2 MHz to sensitive receivers when residences share common power transformers. The amateur 160 meter band falls within this range.

Sivo has not yet been successful in getting the manufacturer, FCC or neighbors to properly address the situation. The FCC rules pertaining to incidental radiation from Part 15 devices give precedence to licensed radio services. Part 15 devices are required by §15.19(a)(3) to be labelled "(1.) This device may not cause harmful interference, and (2.) this device must accept any interference received including interference that may cause undesired operation."

- The Personal Radio Steering Group (PRSG) was unsuccessful in its attempt to delay reply comments on the FCC's NPRM to "...establish a very short distance two-way voice radio service," commonly called the Family Radio Service. PRSG wanted the Oct. 16 reply comment cutoff date extended to Nov. 30. (See story on page 10.)

- Robert L. Maurais, KC1IV, an Industrial Arts teacher at a Yarmouth, Maine middle school has been named "Maine's 1996 Teacher of the Year." Maurais was selected from 17 finalists for introducing his students to aviation, aerospace, meteorology, engineering, robotics and amateur radio. (Boston Globe, Oct. 6, 1995.)

- Bob Bruniga, WB4APR of Glen Burnie, Maryland hopes to orbit an amateur satellite at an upcoming March 1996 launch. He already has a NASA "invite" for a free shuttle ride. Bob wants to orbit a 1-watt Picosat, AX-25 FM 2-meter 1200 baud packet transponder for digipeating position reports. If everything goes well, then the GPS-equipped football that is run from Annapolis to the site of the next year's Army/Navy football game could be tracked by the APR-SAT rather than by participating packet stations!

- The FCC has amended the Rules applying to several radio services - including the amateur service - to reflect that the FCC's new organizational structure. The Private Radio Bureau (PRB) is now the Wireless Telecommunications Bureau. (WTB.)

- Due to health problems, the Charlotte Volunteer Examiner Coordinator (VEC), Charlotte, NC has requested that their Memorandum of Agreement to provide amateur service testing be cancelled.

- Some amateurs are interested in the possibilities of using recently available commercial 902-928 MHz digital "spread spectrum" telephones on the 33-cm ham band. Radio Shack, among others, has one. With higher power, their half mile range could be increased. The rules require that a log be kept of all voice/text/data amateur SS communications "convertible to the original information." Spread spectrum was invented during World War II to provide secure communications.

- The World Radio Conference got underway Monday, October 23rd in Geneva. We won't know until Nov. 17th if the international law (RR2735) that requires Morse telegraphy knowledge when an amateur operates on the high frequency bands will be "suppressed" (that is, eliminated from the international radio regulations.) None of WRC-95's agreements are announced until after the conference closes.

- We heard that the ARRL has fallen behind in processing DXCC applications. Many QSL cards were received during late September in order to beat the yearly Honor Roll cutoff.

- The new GMDSS (Global Maritime Distress and Safety System) question pools have been received from the FCC and incorporated into a booklet. GMDSS is the new commercial radio satellite-based alerting system that replaces radiotelegraphy at sea. Contact 1-800-669-9594 if you need a copy of the Element 7 (GMDSS Operator) and Element 9 (GMDSS Maintainer) pools.

- The digital revolution hasn't reached every American. Only one third of U.S. homes have a PC and one family in ten uses an online service.

K1MAN ALLEGES "CRIMINAL CONSPIRACY..."

Glenn Baxter, K1MAN, (Belgrade Lakes, Maine) network manager of the *International Amateur Radio Network* (IARN) is apparently involved in some sort of controversy involving news gathering for CBS News. Baxter told W5YI that an alleged conspiracy is consistent with a letter to him from John P. Greenspan of the FCC dated Jan. 23, 1995, which threatened to revoke K1MAN's station license.

The facts are not real clear, but Baxter issued a rather strange press release on Oct. 13th charging that he believes there is apparently some sort of conspiracy "...to drag me before an administrative law judge and totally take me by surprise with the totally false evidence concocted by the corrupt FCC and CBS and orchestrated by ARRL." Baxter said "It was a slick plan that backfired, ...I am going to press criminal charges."

It seems that CBS News issued a check to Baxter on Nov. 30, 1989 in the amount of \$88.00 which was never cashed. Another check for \$135.00 was issued on May 8, 1991 ...again, never cashed. We assume (but are not certain) that the checks were compensation for news gathering work done for them on amateur radio frequencies by Baxter.

On Aug. 6, 1992 and again on Oct. 23, 1992, CBS News wrote Baxter notifying him that since the checks had been outstanding for more than a year, "...we have stopped payment... If you were never reimbursed for your services rendered (or material provided us) as originally covered by [these checks], please contact us in writing so that a new check may be issued." The press release does not say what happened to the checks.

The Treasurer of the State of Maine wrote Baxter advising him that \$88.00 was paid by CBS, Inc., to the Office of the Treasurer "...property to which you appear to be entitled is being held on your behalf. ...Should you have any questions as to any of the above please do not hesitate to get in touch with the Abandoned Property Division in the Treasurer's Office." Baxter said he had no knowledge of this payment until he received the letter on Oct. 7, 1995.

The Baxter press release says "In Dec. of 1994, CBS apparently paid the State of Maine, on behalf of Baxter, and without Baxter's knowledge or approval, \$2,150.22..." Baxter obtained a copy of a *Report of Abandoned Property* dated Dec. 12, 1994 from the state. On Oct. 10, 1995 Baxter met personally with the U.S. attorney, Jay McCloskey, in Bangor, Maine to discuss his investigation into the alleged criminal conspiracy..."

MORE ON KV4FZ's LICENSE RENEWAL PROCEEDING

In our last issue we covered the Herbert L. Schoenbohm hearing held in Washington, DC on Aug. 15th.

The hearing was convened to determine if KV4FZ possessed the proper character to remain a Commission licensee. His ham ticket was up for renewal last year, but the FCC did not grant the renewal. Instead, the FCC questioned whether the renewal would be in the public interest. In 1987, Schoenbohm (of Kingshill, U.S. Virgin Islands) was convicted of fraudulently using misappropriated access codes to make free long distance telephone calls.

At the end of the hearing, Administrative Law Judge Edward Luton directed the Wireless Telecommunications Bureau (WTB) and Schoenbohm's attorney to submit statements supporting their legal position. The ALJ received the *Proposed Findings of Fact and Conclusions of Law* statements during mid-September.

On Oct. 6th, both the WTB and Lauren A. Colby, KV4FZ's Frederick, Maryland attorney submitted reply comments to the judge. Here are some excerpts from those replies.

The FCC's reply to KV4FZ's statement criticizes Schoenbohm for inaccurate or misleading testimony. The FCC said that Schoenbohm characterized his felony conviction as being for "...having knowledge of certain telephone numbers that could be used to make long-distance telephone calls without paying for them" rather than for the **fraudulent use** of those numbers, the offense that KV4FZ was actually convicted of.

The FCC also took issue with Schoenbohm's contention that he lost at least \$150,00 in pension benefits as a result of losing his communications job with the Virgin Islands Police Department due to his conviction.

The WTB also pointed out that Schoenbohm was not appointed "Director of Transportation under the Department of Property and Procurement of the Virgin Islands Government" as he alleged. His own testimony indicated that he was appointed "Coordinator of Transportation, Property and Procurement." This was a political appointment of Victor Frazier, the congressional delegate from the U.S.V.I.

The FCC said there was reason to believe that Frazier did not know that Schoenbohm was convicted of using stolen telephone access codes, since he too referred to "possessing" the illegal numbers rather than actually using them. "...this indicates that Schoenbohm did not disclose the true nature of his crime to Delegate Frazier ...the same mischaracterization ...that he later made in his testimony and in his *Proposed Findings of Fact*," FCC said.

Contrary to Schoenbohm's statement, the FCC believes that he did indeed mean to ask another amateur radio operator to have a government official act in his behalf. These ex parte presentations are prohibited by law. KV4FZ contends that the Commission did

not receive any letters from elected officials, but the FCC said that not every solicitation generates a response and "...is of no value in determining whether a solicitation was made."

The FCC feels that "Schoenbohm's findings are based mainly on self-serving testimony and, ...are generally unreliable." His belief that prior convictions must be "broadcast related" to be used against him is not accurate. There is no such policy, instead the FCC may "...consider convictions of crimes involving dishonesty and felony convictions for which it can be demonstrated that there is a substantial relationship between the criminal conviction and the applicant's propensity to be truthful or comply with the Commission's rules and policies."

The conclusion "...that Schoenbohm has a good, if not outstanding, record as an amateur licensee is erroneous. ...the record of this case does not indicate whether Schoenbohm has an overall record of compliance in the operation of his station. The public service activities described ...have no mitigating effect [and] are not relevant in evaluating Schoenbohm's qualifications."

Schoenbohm's accusation that the crime is too "remote in time" to affect his qualifications is also incorrect. "...the Commission, in a renewal case, may consider any conduct occurring within the current license term."

Schoenbohm's contention that the felony is not "FCC related misconduct" is irrelevant. "The Commission does not have any policy that excludes non-FCC related misconduct... Furthermore, the crime was indeed FCC-related because it involved ...the use of a communications service regulated by the Commission... (long distance telephone service.)"

Schoenbohm's contention that no one except him suffered any financial loss is again incorrect. "...theft of long distance telephone service caused a financial loss to the carrier..."

The FCC Reply to the ALJ ends with the belief that the felony conviction discloses "...a likelihood that if his application is granted, the Commission will not be able to rely on him to be truthful or to comply with the *Communications Act* and *Commission's Rules* and policies. Schoenbohm's flouting of the Commission's *ex parte* rules is the final 'nail in the coffin' showing that he can't be relied on. It is evident that Schoenbohm does not possess the requisite qualifications for a renewal of his amateur station and operator license."

Schoenbohm's reply to the FCC's Findings of Fact and Conclusions of Law said that KV4FZ was indeed truthful and honest and that there was no need for him to produce a string of witnesses. This is evidenced by the fact that the two highest elected officials

in the Virgin Islands, i.e., the Governor and the Delegate to Congress was aware of Schoenbohm's crime and each appointed Schoenbohm to paid positions. ...That should be sufficient to show that Schoenbohm enjoys the respect of his peers in matters involving truthfulness and honesty."

KV4FZ's attorney says that the FCC contention that Schoenbohm's government job was a political appointment "...does a grave disservice to the people of the Virgin Islands and their elected officials." A scandal is not one of the best ways to get re-elected.

Schoenbohm denied that he said he only "possessed" rather than used counterfeit access devices. He also believes that "it is understandable" that he did not have detailed information concerning his police department pension at his fingertips. The FCC had called his testimony in connection with the loss of his pension rights "incredible."

KV4FZ's attorney attacked a number of FCC arguments. He said Schoenbohm's crimes were not "frequent" since he was convicted of a single count, were not "current" since they occurred eight years ago and were not "serious" in light of the sentence imposed. Furthermore, the FCC introduced no notices of prior violations, forfeitures, or warning letters.

On KV4FZ's "rehabilitation", his attorney said "The events that led to Schoenbohm's conviction occurred eight years ago and, except for his two months of house confinement he had complete freedom to rob banks, hold up grocery stores, exceed the speed limit, and otherwise engage in egregious misconduct. However, except for parking tickets, he has not violated any additional laws, whatsoever."

The FCC had said that KV4FZ's "public service" was unsupported. Schoenbohm's attorney pointed out that "The record shows that Schoenbohm's life has almost been completely devoted to communications-related activities; that he worked for many years as a police radio dispatcher, while devoting his spare time to ham radio. [The FCC] cannot argue on the one hand that Schoenbohm's crime is serious because it was communications related, while refusing to recognize mitigating circumstances, flowing from his communications-related work at the police department or elsewhere. ...The fact is that Schoenbohm has been extraordinarily active in providing emergency communications, a fact proven by the written awards which he has received."

The next step is that the *Proposed Findings and Conclusions and Law* and the *Replies* will be considered by the Administrative Law Judge. He will then issue an initial decision within 90 days. The ruling can be appealed to the Review Board or the full Commission.

FAMILY RADIO SERVICE REPLIES

Manufacturers Want to Move Ahead with New Service

Reply comments are now in at the FCC in docket WT 95-102, the Family Radio Service (FRS) FM-CB NPRM. Family Radio would use 14 interstitial channels in the General Mobile Radio Service (GMRS) spectrum at 462 and 467 MHz (see *W5YI Report*, October 15, 1995).

Unlike the GMRS, which uses a complex licensing scheme and a \$60 license fee, FRS, as a form of CB, would need no licensing and would have no access to repeaters.

The dispute between GMRS licensees and prospective manufacturers boils down to whether the half-watt FM-CBs will interfere with GMRS repeaters - more than 3,000 around the country - and whether the radios should be designed so as to prevent their being turned into repeaters, connected to amplifiers, or to packet radio TNCs.

These abuses could be prevented, GMRS licensees argue, by proper technical standards. But manufacturers believe these limitations will handicap the service. The FCC believes that the "FM capture effect" will protect GMRS from interference from unlicensed FRS consumers. Also at issue is whether FRS needs 14 channels. Each channel, the FCC said, could handle "many millions" of small communicating groups.

Here are excerpts from the reply comments:

"The record in this proceeding establishes that FRS will serve an unmet consumer demand for an inexpensive, high quality, short-range communications medium and thus will serve the public interest, convenience and necessity. By establishing this innovative and much-needed service, the Commission will further its mandate to 'generally encourage the larger and more effective use of radio in the public interest. ...

"In order to address PRSG's concern regarding the possibility that an FRS unit might be used as a repeater, Tandy respectfully suggests that the Commission prohibit the attachment of any device to an FRS unit that would enable it to function as a repeater." - Tandy Corporation/Radio Shack, Ft. Worth TX

"Many of GMRS' current licensees have migrated to this service specifically to escape the banalities and the vulgarities that have come to afflict CB. Many GMRS users are "refugees from eleven meters," and as this proceeding abundantly demonstrates, they will jealously guard this public resource from the misuse and abuse that have so notoriously come to characterize CB radio. ...

"Tandy and others continue in their mistaken belief that the 'FM capture effect' will benefit the station with the more powerful transmitter. The infamous 'FM capture effect' has nothing to do with transmitter power. Instead, it concerns the relative strengths of two or

more signals at the receiver. At 460 MHz frequencies, the strongest received signal usually depends more on the relative heights of the transmit antennas, than on the actual transmitter output powers.

"By failing to recognize these two realities (that limiting power does not necessarily limit range, and that antenna height is more important than transmitter power), neither Tandy nor Cobra comprehend that FRS transmitters WILL significantly interfere with GMRS operations." - Personal Radio Steering Group (PRSG), Ann Arbor MI

"Several commenters tried to equate potential problems with FRS to past and present problems with the CB band. The main problem in the CB band is due to illegal excessive high power output and over-modulation. Neither of these problems is likely to occur with FRS because FM overmodulation is naturally limited by the modulator and the maximum output power is naturally limited by the power source, usually a battery. ...Cobra thinks there is a need for FRS and does not see any technical reasons that should discourage the FCC from going forward." - Cobra Electronics Corp., Chicago IL

"A simple computation exposes the NPRM's fantastic claim to 14 channels. Assuming, for argument's sake, that a 'small group' consists of four individuals and that 'many' is ten, just seven 462 MHz channels would serve a staggering 280,000,000 FRS users, that is, 106% of the U.S. population -- without any need to employ the 467 MHz channels so extensively disputed by commenters.

"The NPRM offers no reason for anything approaching such a stupendous number; yet its actual proposed complement of 14 FRS channels would double that huge amount. The NPRM's justification for the amount of spectrum to be allocated to FRS is non-existent." - Bennett Z. Kobb, KC5CW/KAE 8949, Arlington VA

"The diversity of potential markets [for FRS] as identified by manufacturers defines a strong niche market that offers the potential of hundreds of thousands of sales per year. There is no existing allocation of spectrum capable of handling such a tremendous influx of new users...We intend to offer product designed to serve the needs of parents keeping in touch with children as well as the outdoor sports enthusiasts. Our research tells us that these users alone represent a multi-million dollar market.

"PRSG argues that there should be an automatic timer on Family Radio Service transmitters limiting the duration of transmissions. Motorola's preliminary designs for potential FRS devices incorporate such a feature. ...Motorola would agree that a requirement for such a device would be an appropriate interference-reducing mechanism adding little cost to manufacturers." - Motorola Inc., Schaumburg IL